

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ROTEM ROSEN,

Plaintiff/Counter Defendant,

v.

ALEX SAPIR and 260-261 MADISON AVENUE  
JUNIOR MEZZANINE LLC,

Defendants/Counter Claimants.

No. 20-CV-5844 (RA) (JLC)

Oral Argument Requested

**PLAINTIFF’S NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT  
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 56**

Pursuant to Federal Rule of Civil Procedure 56 and Rule 56.1 of the Local Civil Rules of the United States District Courts for the Southern and Eastern Districts of New York (“Local Rule”), Plaintiff Rotem Rosen (“Plaintiff”), by and through his undersigned attorneys, respectfully moves this Court for partial summary judgment with respect to the second and third causes of action of Plaintiff’s [proposed] amended complaint, dated December 16, 2021, and for any other relief the Court deems just and proper (the “Motion”). Submitted in support of, and filed contemporaneously with, the Motion are Plaintiff’s Memorandum of Law, dated December 16, 2021, the Declaration of Rotem Rosen, dated December 15, 2021, with exhibits attached thereto, and the Statement of Material Facts As To Which There Is No Genuine Issue, dated December 16, 2021, as required by Local Rule 56.1.

Dated: New York, New York  
December 16, 2021

Respectfully submitted,

KASOWITZ BENSON TORRES LLP

By: /s/ Sheron Korpus

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**PROOF OF SERVICE**

I hereby declare that on this date, I caused a copy of the foregoing Notice of Motion for Summary Judgment and accompanying Memorandum of Law, Declaration of Sheron Korpus, Esq. (and the exhibits attached thereto), and Local Civ. R. 56.1 Statement Of Material Facts As To Which There Is No Genuine Issue, to be served, via ECF, upon counsel for Defendant/Counterclaim Plaintiffs Alex Sapir and 260-261 Madison Avenue Junior Mezzanine LLC. I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 16, 2021

/s/ Sheron Korpus

Sheron Korpus